

1 JOSEPH P. RUSSONIELLO (CASBN 44332)
2 United States Attorney

3 BRIAN J. STRETCH (CSBN 163973)
Chief, Criminal Division

4 SUSAN KNIGHT (CSBN 209013)
5 Assistant United States Attorney

6 150 Almaden Blvd., Suite 900
7 San Jose, California 95113
Telephone: (408) 535-5056
FAX: (408) 535-5066
Susan.Knight@usdoj.gov

8 Attorneys for Plaintiff

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA, } No. CR 09-00111 HRL
14 Plaintiff, }
15 v. } STIPULATION AND [PROPOSED]
16 DEAN ALAN WOODFORD, } ORDER EXCLUDING TIME UNDER THE
17 Defendant. } SPEEDY TRIAL ACT
18 _____ } SAN JOSE VENUE
19

20 On March 5, 2009, the undersigned parties appeared before the Court for an initial
21 appearance. At that appearance, the defendant, through his attorney, Michael L. Horner, entered
22 a not guilty plea to the charges contained in the information. The parties then requested that the
23 case be scheduled for a status hearing before Magistrate Judge Lloyd on April 2, 2009 at 9:30
24 a.m. The government also requested an exclusion of time under the Speedy Trial Act from
25 March 5, 2009 to April 2, 2009 in order to provide discovery to Mr. Horner and to afford him an
26 opportunity to review it. The defendant, through Mr. Horner, agreed to the exclusion. The
27 parties agree and stipulate that an exclusion of time is appropriate based on the defendant's need
28 for effective preparation of counsel.

FILED

MAR 10 2009

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

1 SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

3 DATED: 3/05/2009

/s/
4 SUSAN KNIGHT
Assistant United States Attorney

5 DATED: 3/8/09

/s/
6 MICHAEL L. HORNER
Counsel for Mr. Woodford

9 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded
10 under the Speedy Trial Act from March 5, 2009 to April 2, 2009. The Court finds, based on the
11 aforementioned reasons, that the ends of justice served by granting the requested continuance
12 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant
13 the requested continuance would deny defense counsel reasonable time necessary for effective
14 preparation, taking into account the exercise of due diligence, and would result in a miscarriage
15 of justice. The Court therefore concludes that this exclusion of time should be made under 18
16 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

17 SO ORDERED.

18
19 DATED: 3/10/09

20 HOWARD R. LLOYD
United States Magistrate Judge